



Order Filed on October 21, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1

**LOWENSTEIN SANDLER LLP**

Mary E. Seymour, Esq.  
Michael Papandrea, Esq.  
One Lowenstein Drive  
Roseland, New Jersey 07068  
(973) 597-2500 (Telephone)  
(973) 597-2400 (Facsimile)

*Counsel to the Liquidating Trustee*

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11


Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER SUSTAINING THE LIQUIDATING TRUSTEE'S NINTH  
OMNIBUS OBJECTION TO CERTAIN LATE FILED CLAIMS**

The relief set forth on the following pages, numbered two (2) through three (3), and Exhibit A, is hereby **ORDERED**.

**DATED: October 21, 2022**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

<sup>1</sup> The Debtors in these Chapter 11 Cases (as defined herein) and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

Page: 2  
Debtor: New England Motor Freight, Inc., *et al.*  
Case No.: 19-12809 (JKS)  
Caption: Order Sustaining the Liquidating Trustee's Ninth Omnibus Objection to Certain Late Filed Claims

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Upon the ninth omnibus objection [Docket No. 1640] (the "Omnibus Objection")<sup>2</sup> of the Liquidating Trustee in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to the Plan, sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1 and 3007-2, disallowing and expunging the claims set forth on Exhibit A to this Order because each such claim was filed after the applicable Bar Date; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Omnibus Objection is in the best interests of the Liquidating Trustee, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Omnibus Objection is SUSTAINED as set forth herein.
2. The Late Claims listed on Exhibit A attached to this Order are hereby disallowed and expunged in their entirety.
3. The hearing on the Omnibus Objection, solely as it relates to Proof of Claim No. 1374 filed by Hartford Fire Insurance Company, shall be adjourned to November 22, 2022 at 10:00 a.m. (ET) or such other date as may be determined by the parties or the Court.
4. For the avoidance of doubt, nothing in the Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the Liquidating Trustee, (b) an implication or admission that any particular claim is of a

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Omnibus Objection.

Page: 3  
Debtor: New England Motor Freight, Inc., *et al.*  
Case No.: 19-12809 (JKS)  
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type specified or defined in this Order or the Omnibus Objection, and/or (c) constitute a waiver of the Liquidating Trustee's rights to dispute any claim on any grounds.

5. The Liquidating Trustee, its claims and noticing agent (Donlin Recano and Company, Inc.), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

6. The objection to each claim addressed in the Omnibus Objection and as set forth on Exhibit A attached hereto constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim that is the subject of the Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Omnibus Objection and this Order.

7. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Omnibus Objection or otherwise waived.

8. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**EXHIBIT A**

**LATE CLAIMS - PROOF OF CLAIM FILED AFTER APPLICABLE BAR DATE**

Debtor Name	Creditor Name & Address	Date Filed	Applicable Bar Date	Claim No.	Claim Amount	Claim Class
NEW ENGLAND MOTOR FREIGHT, INC.	GEICO INDEMNITY CO ASO ZORAIDA MIRANDA LAW OFFICES OF RICKY JLUCYK KATHLEEN A GARVESON ESQ 2 HUNTINGTON QUADRANGLE STE 2N01 MELVILLE, NY 11747	6/19/2019	6/18/2019	1172	\$ 4,512.90	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	GEICO INDEMNITY CO ASO VAL MAYO LAW OFFICES OF RICKY JLUCYK KATHLEEN A GARVESON ESQ 2 HUNTINGTON QUADRANGLE STE 2N01 MELVILLE, NY 11747	6/19/2019	6/18/2019	1174	\$ 8,065.93	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	LIBERTY MUTUAL FIRE INSURANCE CARMAN CALLAHAN AND INGHAM LLP JAMI C AMARASINGHE ESQ 266 MAIN ST FARMINGDALE NY 11735	8/5/2019	6/18/2019	1256	\$ 13,992.97	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	CHARLES TILLMAN PAVING INC DIANE M KRACHER 19627 GRAYSTONE RD WHITE HALL MD 21161	8/14/2019	6/18/2019	1276	\$ 2,200.56	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	K LINE LOGISTICS USA INC ANNU KOMAGUCHI OCEAN EXPORT SUPERVISOR 14568 228TH ST UNIT 2 SPRINGFIELD GARDENS NY 11413	8/16/2019	8/12/2019	1279	\$ 109.70	Administrative
NEW ENGLAND MOTOR FREIGHT, INC.	NY- COUNTY OF MONROE MONROE COUNTY DEPT OF WEIGHTS AND MEASURES 39 W MAIN ST RM 307 ROCHESTER	8/16/2019	8/12/2019	1280	\$ 560.00	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	SYSTEM4 OF BOSTON 99 DERBY ST HINGHAM MA 02043	8/27/2019	6/18/2019	1288	\$ 959.00	General Unsecured

**EXHIBIT A**

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Debtor Name	Creditor Name & Address	Date Filed	Applicable Bar Date	Claim No.	Claim Amount	Claim Class
NEW ENGLAND MOTOR FREIGHT, INC.	GALLAGHER BASSETT ROSEMARY MEYER GALLAGHER BASSETT INSURANCE PO BOX 2934 CLINTON IA 52733	9/18/2019	6/18/2019	1302	\$ 17,801.54	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	EULER HERMES NA INSURANCE CO AS AGENT OF CARROLL INDEPENDENT FUEL LLC 800 RED BROOK BLVD OWINGS MILLS MD 21117	6/10/2020	6/18/2019	1360	\$ 21,872.85	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	UGI UTILITIES INC KRZYWICKI AND ASSOCIATES PC ANTHONY KRZYWICKI PO BOX 505 NEW HOPE PA 18938	1/22/2021	6/18/2019	1365	\$ 9,109.30	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	IL- DEPT OF REVENUE BANKRUPTCY UNIT PO BOX 19035 SPRINGFIELD IL 62794-9035	1/25/2021	8/12/2019	1366	\$ 2,705.26	Administrative
NEW ENGLAND MOTOR FREIGHT, INC.	NEW JERSEY MANUFACTURERS INSURANCE CO CO ROBERT K SCHEINBAUM ESQ CONNELL FOLEY LLP 56 LIVINGSTON AVE ROSELAND NJ 07068	3/5/2021	6/18/2019	1368	\$ 8,952.56	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	NEW YORK CITY TRANSIT AUTHORITY BONNIE HARPER 130 LIVINGSTON ST 12TH FL BROOKLYN NY 11201	8/10/2019	6/18/2019	1369	\$ 1,068.22	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	PITNEY BOWES GLOBAL FINANCIAL SVC LLC FAITH SANTIAGO 27 WATERVIEW DR SHELTON	8/6/2021	8/12/2019	1371	\$ 1,526.97	Administrative
NEW ENGLAND MOTOR FREIGHT, INC.	CAROLYN JACK ARIEL KENNETH LOZANO SUBROGATION ADJ 32125 32ND AVE S STE 200 FEDERAL WAY WA 98001	1/3/2022	8/12/2019	1373	\$ 37,521.99	Administrative

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Debtor Name	Creditor Name & Address	Date Filed	Applicable Bar Date	Claim No.	Claim Amount	Claim Class
NEW ENGLAND MOTOR FREIGHT, INC.	ZACHARY JOESPH TWELE 1098 LIMA LN IRWIN PA 15642	3/31/2022	6/18/2019	1375	\$ -	General Unsecured
NEW ENGLAND MOTOR FREIGHT, INC.	ZACHARY JOESPH TWELE 1098 LIMA LN IRWIN PA 15642	6/29/2022	6/18/2019	1376	\$ -	Priority
NEW ENGLAND MOTOR FREIGHT, INC.	ZACHARY JOESPH TWELE 1098 LIMA LN IRWIN PA 15642	7/16/2022	6/18/2019	1377	\$ 15,700.00	Priority

<b>TOTAL EXPUNGED CLAIMS:</b>	<b>18 Claims \$ 146,659.75</b>
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